

120 CMR: PAROLE BOARD

120 CMR 500.00: DISSEMINATION OF CORI, EVALUATIVE INFORMATION, AND INTELLIGENCE INFORMATION

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500.01: General Provisions

As a criminal justice agency responsible for maintaining criminal offender record information (CORI), the Massachusetts Parole Board will disseminate CORI only in accordance with 120 CMR 500, *et seq.*, and the regulations of the Department of Criminal Justice Information Services (DCJIS), 803 CMR 2.00, *et seq.*

500.02: Dissemination of Information to the Public

(1) The Massachusetts Parole Board shall make available to any person, upon request, information that it has the primary responsibility for creating and maintaining regarding custody status and placement within the criminal justice system, as provided in M.G.L. c. 6, § 172. This information is limited to whether a criminal offender currently:

(a) is confined in a correctional institution; or

(b) is eligible for parole on an estimated date; or

(c) has begun parole supervision on a specified date; and has ended or is expected to end parole supervision on a specified date.

(2) The Massachusetts Parole Board may disseminate CORI that is specifically related to and contemporaneous with the search for or apprehension of any person.

(3) Except as provided in 120 CMR 500.02(1) and (2), CORI and evaluative information will not be disseminated to individuals without service of a valid subpoena and a court order.

(4) The Massachusetts Parole Board can provide a summary which may include references to evaluative information concerning a decision to release an offender, to deny such release, or to change an offender's custody status. M.G.L. c. 6, § 172.

500.03: Dissemination of CORI to the Subject

Each individual shall have the right to inspect CORI which refers to him or her as provided in M.G.L. c. 6, § 175. Such dissemination shall be in accordance with 803 CMR 7.10., and subject to redaction if necessary to protect anyone from harm or to protect the source of information. See, M.G.L. c. 127, § 130; M.G.L. c. 66A; and M.G.L. c. 4, § 7(26).

500.04: Dissemination of CORI to Registered Individuals

The Massachusetts Parole Board will notify victims who are CORI-registered of the offender's parole eligibility and parole status in accordance with 120 CMR 400, *et seq.*, and M.G.L. c. 258B.

500.05: Dissemination to Criminal Justice Agencies

The Massachusetts Parole Board shall disseminate CORI to criminal justice agencies. M.G.L. c. 6, § 172.

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500.06: Dissemination of Evaluative Information to the Offender

(1) Upon written request by the offender or his/her representative, with verified written authority, the Massachusetts Parole Board shall disseminate evaluative information generated by it unless disclosure of such information falls under one of the exemptions listed in 120 CMR 500.06(2).

(2) The following evaluative information shall not be disseminated pursuant to M.G.L. c. 127, § 130, M.G.L. c. 4, § 7(26), and M.G.L. c. 66A:

- (a) information which would pose a direct and articulable threat to the safety of an individual;
- (b) information which would pose a direct and articulable threat to the security of a correctional facility;
- (c) information provided to the Massachusetts Parole Board under a clear expectation of confidentiality;
- (d) information deemed confidential by the Parole Board;
- (e) documents or working papers of the deliberative process of the hearing panel.

(3) All efforts shall be made to disclose evaluative information which is reasonably segregable from documents withheld under 120 CMR 500.06(2).

500.07: Dissemination of Evaluative Information to Criminal Justice Agencies

The Massachusetts Parole Board may disseminate evaluative information to criminal justice agencies that is necessary for the discharge of their statutory responsibilities.

500.08: Dissemination of Intelligence Information

The Massachusetts Parole Board shall disclose intelligence information only to law enforcement and criminal justice agencies.

REGULATORY AUTHORITY

120 CMR 500.00: M.G.L. c. 27, § 5; M.G.L. c. 6, § 172.